

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ANTHONY D. MCCAULEY

Defendant.

8:18CR17

ORDER

This matter is before the court on the defendant's Unopposed Motion to Continue Trial [47]. Counsel is seeking additional time to retain a new DNA expert and their availability to provide testimony. For good cause shown,

IT IS ORDERED that the defendant's Unopposed Motion to Continue Trial [47] is granted as follows:

1. The jury trial, now set for December 11, 2018, is continued to **February 12, 2019**.
2. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and February 12, 2019** shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).

Dated this 11th day of December 2018.

BY THE COURT:

s/ Michael D. Nelson
United States Magistrate Judge